

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - February 17, 1971

Appeal No. 10671 Gladstone Finance Corp., appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of February 23, 1971.

ORDERED:

That the appeal for permission to establish news stand including sales of food products, patent medicines and tobacco as apartment house adjunct and variance from the provisions of Section 3105.42(e) to permit same at 1613 Harvard Street, N. W., lot 808, Square 2591 be denied.

FINDINGS OF FACT:

1. The subject property is located in an R-5-C District.
2. The property is improved with a five story (approximately 75 unit) apartment building.
3. The appellant proposes to establish a news stand including the sale of food products, patent medicine and tobacco as an apartment house adjunct.
4. The floor space of the proposed adjunct is approximately 25' by 25' with a small area within the above space which was previously used as a cashier's office.
5. The apartment building is within a quarter mile of a commercial area. The proposed adjunct will not be visible from the street and no signs will be posted. The adjunct will be for the use of the building's tenants only.
6. There was no opposition registered at the public hearing to the granting of this appeal.

August 16, 1971
Appeal No. 10671
Page 2

OPINION:

We are of the opinion that this proposed use will have an adverse affect upon the present character and future development of the neighborhood and will substantially impair the purpose, intent, and integrity of the Zoning Regulations and Map.

We are also of the opinion that appellant has not proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar and exceptional practical difficulties or undue hardship upon the owner.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
GEORGE A. GROGAN
Secretary of the Board